

Staff Report
San Luis Obispo County Airport Land Use Commission

4-1

DATE: January 18, 2006

TO: AIRPORT LAND USE COMMISSION

FROM: BILL ROBESON, COUNTY PLANNING AND BUILDING

REFERRING AGENCY: CITY OF PASO ROBLES:
Darren Nash, Planner; Applicant, Tom Erskine; City File
Numbers: GPA 05-001(1) and Rezone 05-005

SUBJECT: A MANDATORY REFERRAL FOR DETERMINATION OF CONSISTENCY OR INCONSISTENCY FOR A GENERAL PLAN AMENDMENT AND REZONING PROJECT. THE SITE TOTALS 28 ACRES AND IS CURRENTLY ZONED PARKS AND OPEN SPACE (POS) AND AGRICULTURE .

THE SITE IS LOCATED AT THE EASTERN TERMINUS OF WISTERIA LANE, NORTH OF HIGHWAY 46 EAST AND EAST OF GOLDEN HILL ROAD (SEE ATTACHED VICINITY MAP) AND IS LOCATED IN PASO ROBLES MUNICIPAL ALUP SAFETY ZONES 3 AND 4.

RECOMMENDATION

Recommend a determination of Consistency to the City of Paso Robles for the rezoning of the 28 acre site shown on the site plans in the Staff Report submitted based on the following:

Finding: The rezoning of the subject parcels is consistent with the Paso Robles Municipal Airport Land Use Plan (ALUP) because the maximum density non-residential development proposed will not exceed the limitations provided by Table 9 of the Paso Robles Municipal Airport Land Use Plan and all other applicable ALUP policies can be satisfied.

PROJECT DESCRIPTION

Proposal: Mandatory referral for determination of a change in zoning. The intent of the General Plan Amendment and Rezone for the site is to bring the site into the same designations as the Golden Hills Industrial Park, adjacent to the west.

Paso Robles Municipal Airport Plan

Airport Land Use Areas: The site for the proposed rezone is located in Safety Zones 3 and 4, the site is within the 55dB noise contour and Aircraft Flight Paths that affect this parcel are – A01-1 (STRAIGHT-IN ARRIVAL, RUNWAY 1) and D19-1 (STRAIGHT-

OUT DEPARTURE, RUNWAY19)

Setting

Existing Uses: vacant /undeveloped

Site Area: 28 acres

Discussion

Below are excerpts taken from a Planning Commission Staff Report formulated by City Staff (see attached for report.) Although, the proposed GPA and Rezone do not have development project associated with them at this time the City has required the following:

“When and if the General Plan Amendment and Rezone are approved by the City Council, subdivision and development applications will be processed to subdivide the property into twenty (20) 1 to 3 acre parcels for commercial/light-industrial type uses. Oak grove and slope areas would be preserved as private open space areas.”

“At the time of a master development plan and subdivision, a condition of approval will be added to the project that will require a Constructive Notice to be recorded on each parcel notifying future property owners that each parcel will need to be developed in accordance with the Airport Master Plan and meet all requirements of the plan, depending on which Airport Zone the subject parcel is in.”

Issues to discuss:

1. Who will review individual development projects that are generated by this GPA. Will these be reviews by the ALUC or does the City have the authority to determine consistency?
According to Section 2.5.1.4 Actions by Referring Agencies only amendments to general plans, specific plans, zoning or land use ordinances and building regulations trigger referrals to the ALUC. Therefore, the City can make determinations of consistency regarding individual. In this case, the GPA is a mandatory referral to the ALUC and conditions of approval or consistency are applicable and must be carried over to associated permits such as subdivisions, development plans and construction permits.
2. Staff has notified City Staff regarding the submittal of a disclosure document that can be reviewed by your Commission and determined as adequate.

Recommendation

Staff advises your Commission to determine that the proposed rezoning be found consistent with the ALUP, because the maximum number of people per acre for non-residential set by the ALUP, will not be exceeded based on the conditions set by your Commission.

Conditions of Consistency Determination

The following conditions are required as part of the determination process by the ALUC. All future and associated permits with the "Erskine General Plan Amendment and Rezone" are required to meet all conditions set herein.

1. All development projects on all lots created by a subdivision will require a Constructive Notice also known as a Disclosure Document to be recorded on each parcel notifying future property owners that each parcel will need to be developed in accordance with the Airport Land Use Plan and meet all requirements set by the ALUC.

The maximum non-residential density allowed per acre on each parcel will be limited to 40 persons. This is the maximum allowable density in Safety Zone 4 where all construction and development will occur. A Disclosure Document will ensure that all owners, potential purchasers, occupants (whether as owners or renters), and potential occupants (whether as owners or renters) receive full and accurate disclosure concerning the noise, safety, or overflight impacts associated with airport operations prior to entering any contractual obligation to purchase, lease, rent, or otherwise occupy any property or properties within the airport area.

2. Avigation easements will be recorded for all properties created by any associated subdivision of the subject parcel. If no subdivision takes place any future development will be required to obtain and record the appropriate avigation easements.
3. If a revision of the subdivision proposal occurs and the size of a lot exceeds 3 acres or is the subdivision does not take place and the parcel is built out as a single site, the maximum Single Acre Land Use Density is 120 persons per acre.

TO: JAMES L. APP, CITY MANAGER

FROM: ROBERT A. LATA, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: GENERAL PLAN AMENDMENT 05-001(1), and REZONE 05-005 (ERSKINE)

DATE: NOVEMBER 15, 2005

Needs: For the City Council to consider the following applications:

General Plan Amendment 05-001(1): a request to change the land use designation of 28 acres from Parks and Open Space (POS) and a portion of Agriculture (AG) to Business Park (BP).

Rezone 05-005: a proposal to change the zoning designation of the same 28 acre site from Parks and Open Space (POS) to Planned Industrial (PM).

- Facts:
1. The proposed applications submitted by John McCarthy on behalf of Tom Erskine of Ranch and Coast Properties, Inc., related to the 28 acre site located at the eastern terminus of Wisteria Lane, north of Highway 46 East and east of Golden Hill Road (see attached Vicinity Map).
 2. The intent of the General Plan Amendment and Rezone for the site is to bring the site into the same designations as the Golden Hills Industrial Park, adjacent to the west.
 3. When and if the General Plan Amendment and Rezone are approved by the City Council, subdivision and development applications will be processed to subdivide the property into twenty (20) 1 to 3 acre parcels for commercial/light-industrial type uses. Oak grove and slope areas would be preserved as private open space areas.
 4. At the time of a master development plan and subdivision, a condition of approval will be added to the project that will require a Constructive Notice to be recorded on each parcel notifying future property owners that each parcel will need to be developed in accordance with the Airport Master Plan and meet all requirements of the plan, depending on which Airport Zone the subject parcel is in.
 5. Similar to the existing development review process for the Golden Hills Business Park, a Development Plan (PD) for approval by the Planning Commission will be required for the development of each lot. Specific site planning, building architecture and landscaping will be reviewed with the PD process for each lot.

6. The proposed General Plan Amendment and Rezone applications are subject to the California Environmental Quality Act (CEQA). An Initial Study has been conducted (attached to this staff report) that addresses the potential environmental impacts associated with the General Plan Amendment and Rezone applications. The study concludes that the applications will not have a significant environmental impact, since there is no physical development proposed with the applications and since this is an extension of an existing development pattern. A Negative Declaration is proposed. In the future the proposed subdivision map and development plan for the proposed business park will be required to undergo a separate environmental review process, including but not limited to provisions to protect oaks in a manner consistent with City policies.
7. The Planning Commission at their meeting on October 25, 2005, on a 5-1 vote (One Commissioner was absent) recommended that the City Council approve the General Plan Amendment and Rezone, as requested by Tom Erskine.

Analysis and

Conclusion: The proposed General Plan Amendment and Rezone of the site is being requested by Tom Erskine of Ranch and Coast Properties to redesignate the site to Business Park & Planned Industrial, to be consistent with the existing Golden Hills Business Park located adjacent to the east.

Changing the General Plan and Zoning designations in order to expand the business park in to this property would seem to be reasonable use for the site.

Policy

Reference: General Plan Land Use Element; General Plan Update EIR certified in 2003; Zoning Code and California Environmental Quality Act (CEQA).

Fiscal

Impact: No fiscal impacts are anticipated in conjunction with this rezone application.

Options: After considering the information and analysis presented and the public testimony received, the City Council will be asked to select one of the following options:

- a.
 - (1) Adopt Resolution No. 05-xx adopting a Negative Declaration for the General Plan Amendment 05-001(1) and Rezone 05-005 applications;
 - (2) Adopt Resolution No. 05-xx approving General Plan Amendment 05-001(1) that would change the General Plan Land Use Designation of the 28 acre site from Parks and Open Space (POS) and a portion of Agriculture (AG) to Business Park (BP).

- (3) Introduce for first reading Ordinance XXX N.S. approving Rezone 05-005 that would change the Zoning designation for the 28 acre site from Parks and Open Space (POS) to Planned Industrial (PM); and set December 6, 2005, as the date for adoption of said Ordinance.

b. Amend, modify, or reject the foregoing options.

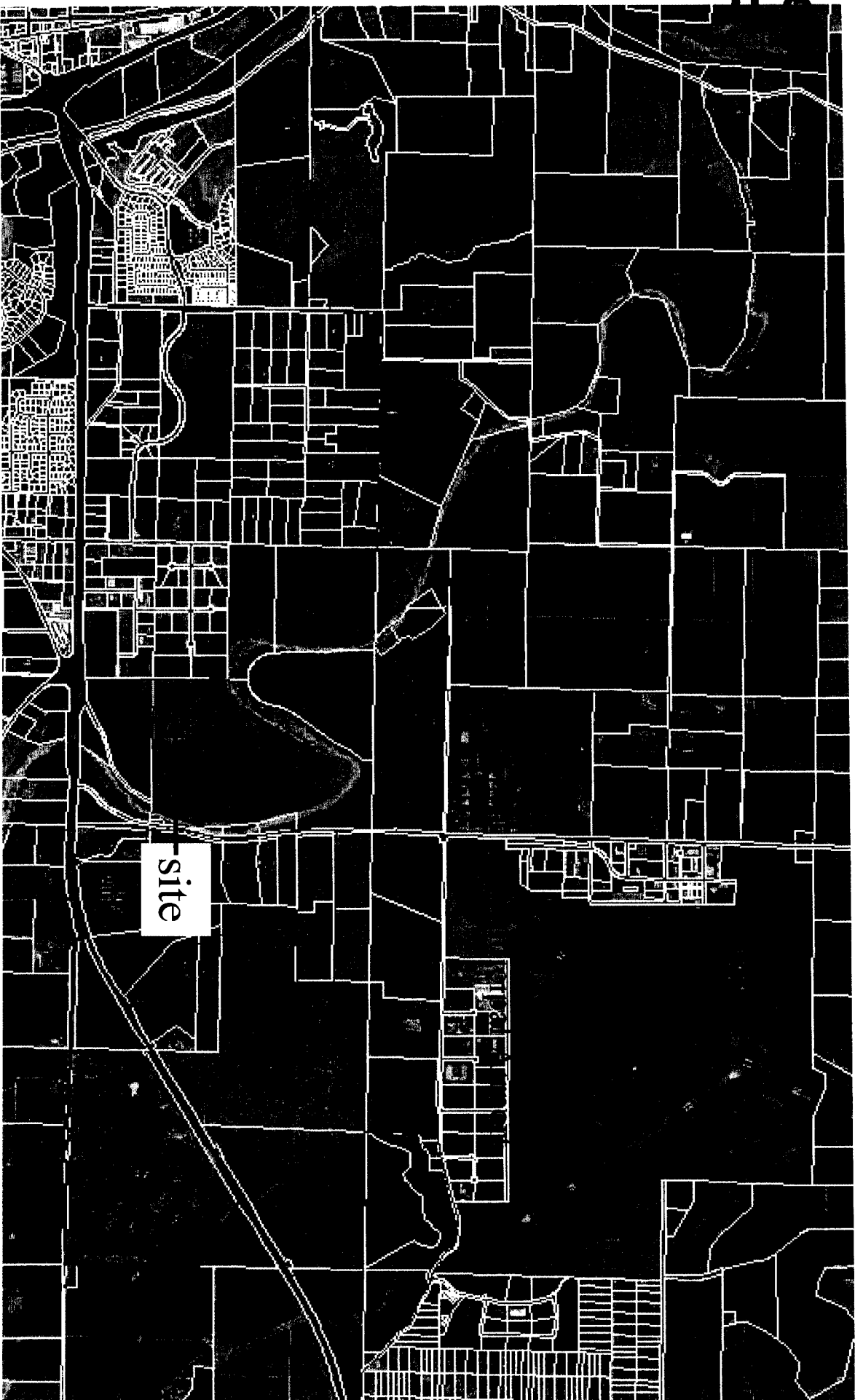
Attachments:

1. Vicinity Map
2. Conceptual Site Plan
3. Draft Resolution approving a Negative Declaration
4. Draft Resolution approving General Plan Amendment 05-001(1)
5. Draft Ordinance approving Rezone 05-005
6. Newspaper and Mail Notice Affidavits

darren\ZC\rezone\05-001Erskine\pc report

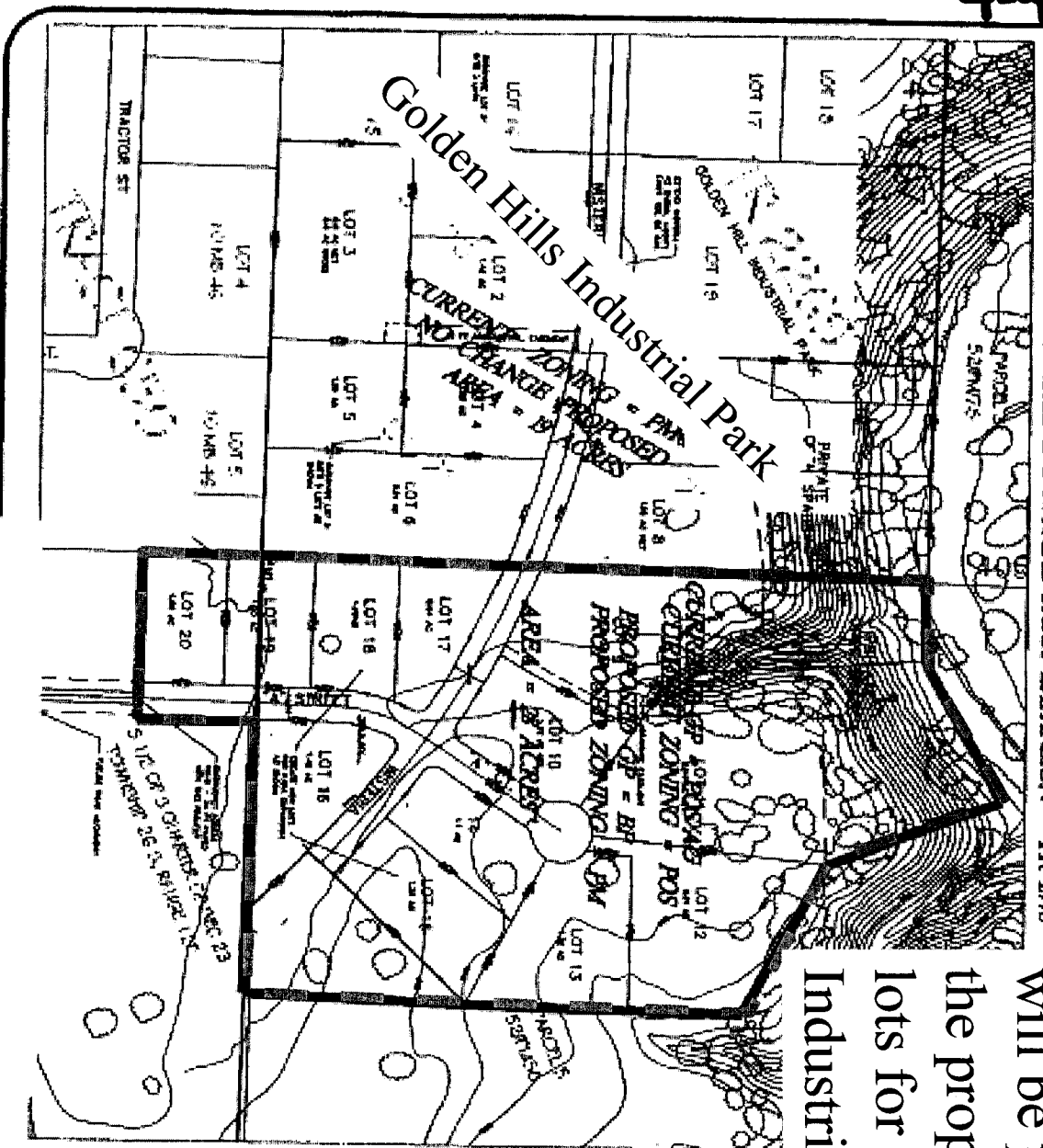
**General Plan Amendment and
Rezone of a 28 acre parcel
currently zoned Parks and
Open Space and Agriculture to
Planned Industrial**

***Site located inside Paso
Robles City Limits**



Erskine GPA

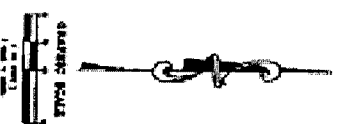
GENERAL PLAN AND ZONING CHANGE
GOLDEN HILL INDUSTRIAL PARK EXPANSION - TR 2778



Development applications will be processed to subdivide the property into 20 1 to 3 acre lots for Commercial /Light Industrial type uses

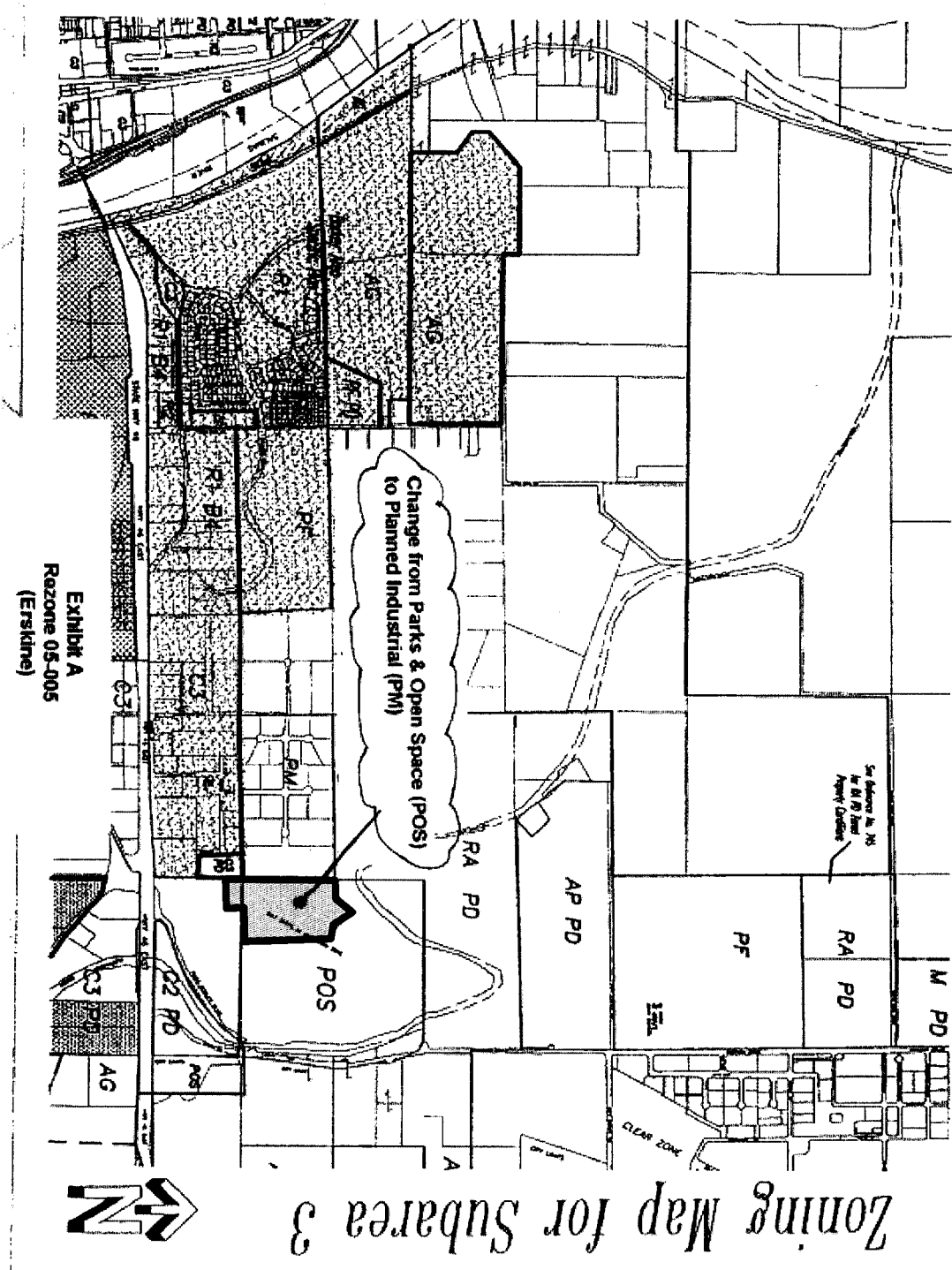
Erskine GPA

Conceptual Site Plan
GPA 05-001(1) & Rezone 05-005
(Erskine)



PROPOSED GENERAL PLAN AND ZONING CHANGE GOLDEN HILL INDUSTRIAL PARK EXPANSION	
DATED: 07/20/05	SCALE: 1" = 100'

Erskine GPA



Zoning Map for Subarea 3

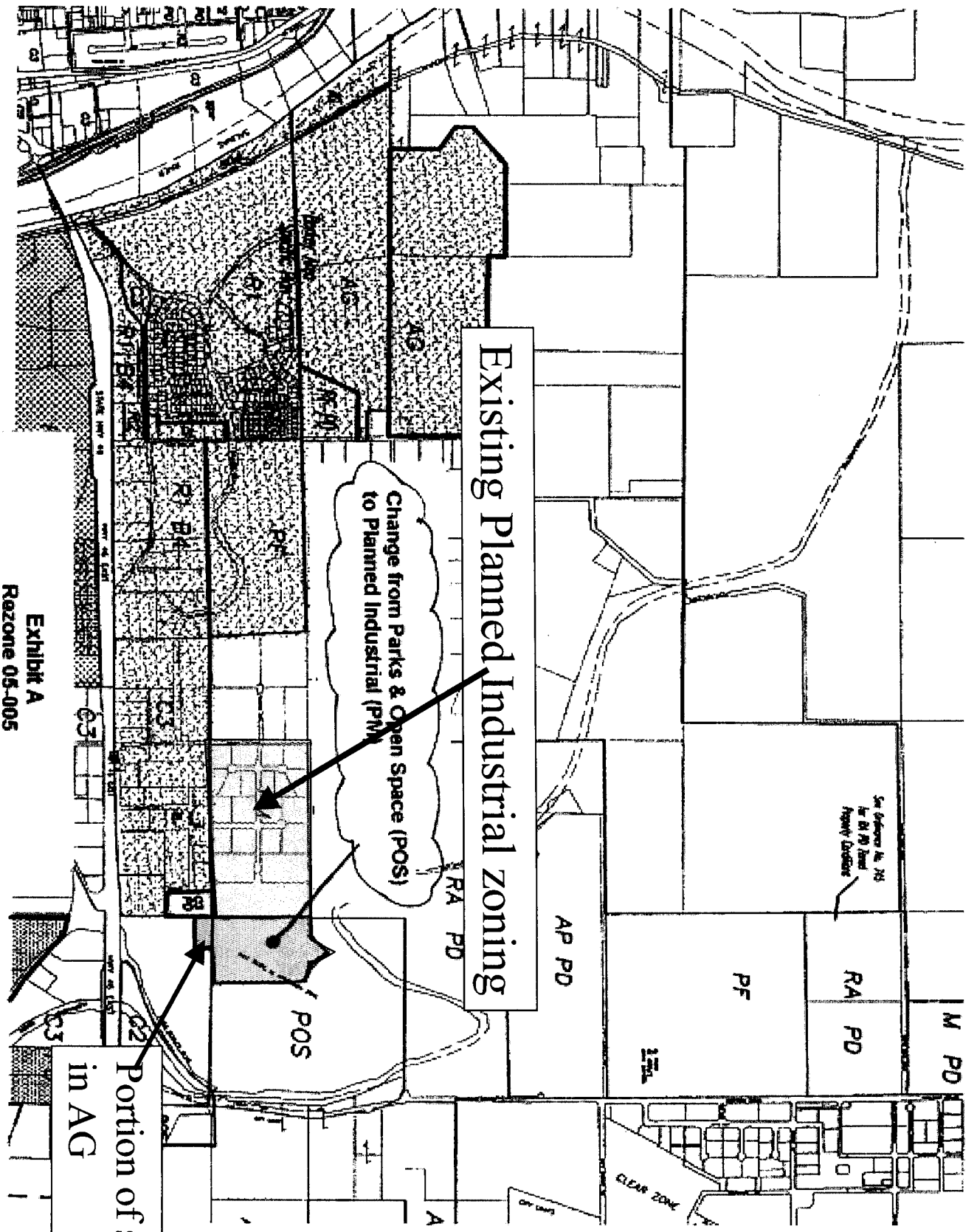
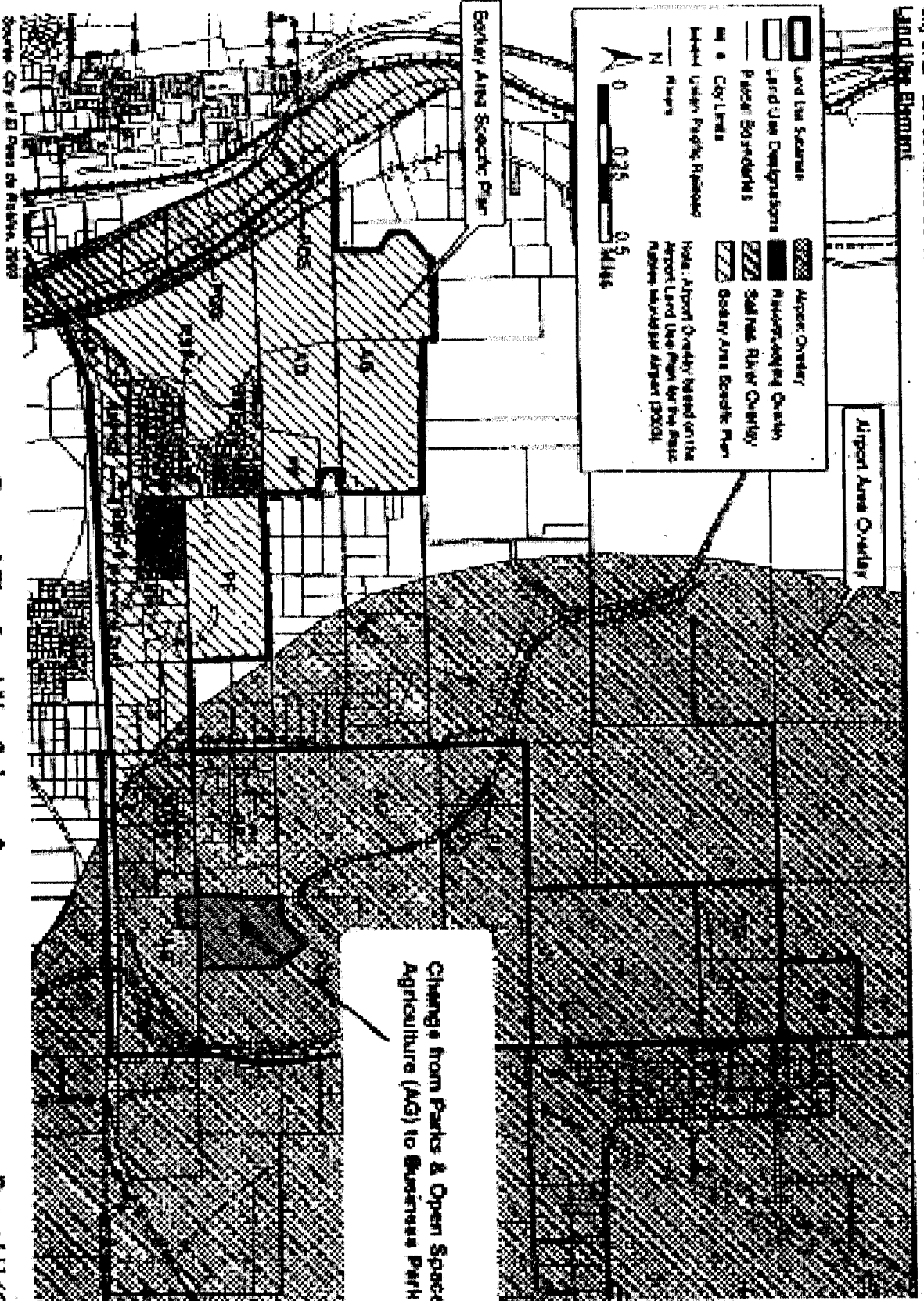


Exhibit A
Rezone 05-005
(Erskine)



Source: City of El Paso de Robles, 2003

General Plan Land Use Subarea 3

Figure LU6C

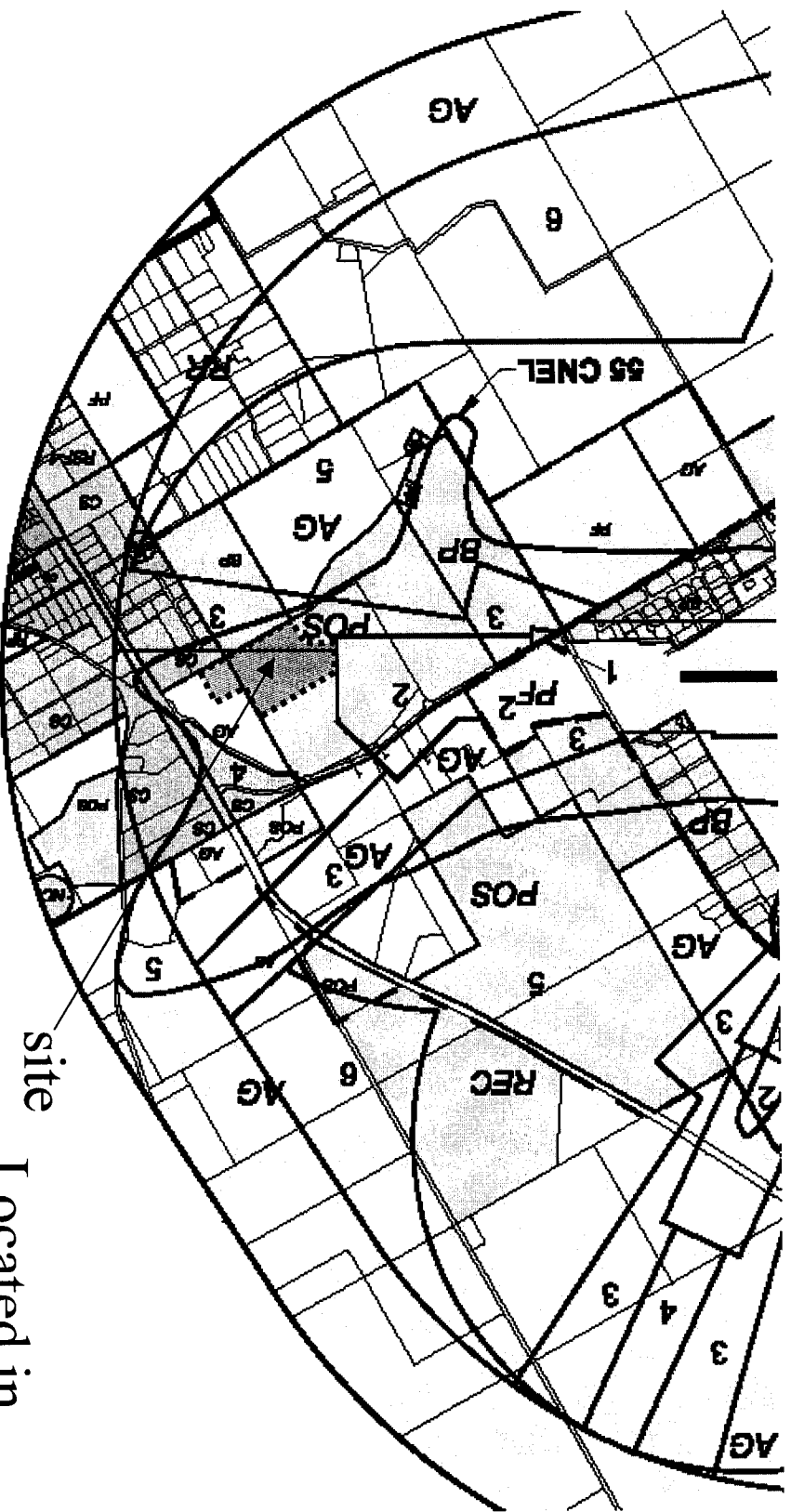
City of El Paso de Robles

Exhibit A

GPA 05-004 (1)

(Erstine)

Erskine GPA



Site is approx. 1.1 miles from end
of Runway 1 (future Runway extension taken into account)

Located in
Safety Zone 3 and 4



SAN LUIS OBISPO COUNTY

AIRPORT LAND USE COMMISSION

Chairman: Roger Oxborrow
 Commissioners: James Gleim
 Jim Heggarty
 Terry Orton
 Richard Pottratz
 Robert Tefft
 Gerrit Vanderziel

COURTESY NOTICE OF HEARING

WHO: AIRPORT LAND USE COMMISSION

WHEN: Wednesday, January 18, 2006, at 1:30 p.m.

WHAT: Hearing to consider a mandatory referral by the **CITY OF PASO ROBLES** (Darren Nash, Planner; Applicant, Tom Erskine; City File Numbers: GPA 05-001(1) and Rezone 05-005) for a determination of consistency or inconsistency with the Paso Robles Municipal Airport Land Use Plan for a General Plan amendment and Rezoning project. The site totals 28 acres, and is currently zoned Parks and Open Space (POS) and Agriculture (Ag). The Site is located at the eastern terminus of Wisteria Lane, north of Highway 46 east and east of Golden Hill Road (see attached vicinity map) and is located in Paso Robles Municipal Airport Land Use Safety zones 3 and 4.

WHERE: San Luis Obispo County Board of Supervisor's Chambers, New County Government Center, 1055 Monterey Street, Room D170, San Luis Obispo, California. At the hearing all interested persons may express their views for or against, or to change the proposal.

FOR FURTHER INFORMATION:

You may contact **Bill Robeson**, Airport Land Use Commission Planner, in the San Luis Obispo County Department of Planning and Building, County Government Center, San Luis Obispo, California 93408. (805) 781-5600.

****** This is a courtesy notice of the Airport Land Use Commission's discussion of the above project. The Airport Land Use Commission will review the project and make recommendations to the referenced city or county as they feel the project relates to airport compatibility.

DATED: January 11, 2006

Cc: City of Paso Robles

Chris Macek, Secretary
 Airport Land Use Commission